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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,368	09/19/2000	Lon S. Safko	1173.001	5060
7590	08/19/2005			
John L Rogitz Esq Rogitz & Associates 750 B Street Suite 3120 San Diego, CA 92101				EXAMINER CHANG, JUNGWON
				ART UNIT 2154 PAPER NUMBER

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/665,368	SAFKO, LON S.	
	Examiner	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a): In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 09 July 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9,11-17,20 and 21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-9,11-17,20 and 21 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

1. Since this application is eligible for the transitional procedure of 37 CFR 1.129(a), and the fee set forth in 37 CFR 1.17(r) has been timely paid, the finality of the previous Office action is hereby withdrawn pursuant to 37 CFR 1.129(a). Applicant's first submission after final filed on 7/9/2005 has been entered.
2. Applicant's arguments filed on 7/29/2005, with respect to 37 CFR 1.131 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Phil Heiple, "Download-a-Dinosaur", Glassner (US 6,311,142), and "Paper PhotoCube Software--NEW Version: 1.1".
3. Claims 1-9, 11-17, 20 and 21 are presented for examination.
4. Examiner objected claims 11-13, 15 and 16 in the prior office action dated 11/30/2004 (i.e., claims 11-13, 15 and 16 are objected to because they are depended on canceled claim 10). However, those claims are not amended to overcome the objection. Appropriate correction is required.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 6-9, 11 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phil Heiple, "Download-a-Dinosaur", July 10, 1997, pages 1-4, in view of Glassner (US 6,311,142).

7. As to claim 1, Heiple discloses a method for providing paper models (easy-to-make designs for paper dinosaurs, page 1), comprising:

allowing a user to access a computer site on a computer network (you are invited to visit my new site; page 1; you can download from this site; pages 1-2; download inherently used to describe the process of copying a file from a server to client's computer on the network);

providing, on the user computer site, at least one model page (paper dinosaurs that you can download/copy from this site; pages 1-2; to download a dinosaur, use whatever way works best for your particular browser, computer; page 2);

permitting the user to access the model page (clicking your cursor on top of the image and scroll to the "save this image" command, then transfer it to a graphic program like pagemaker; page 2); and

permitting the user to print at least one data file from the model page (you either click on the print icon or click your cursor on top of the image and scroll to the

“save this image” command, then transfer it to a graphic program like pagemaker, paste and then print; page 2), the data file being useful for causing a computer printer to print a substrate having model indicia thereon (designs for easy-to-make paper dinosaurs that you can print out on your printer, all that is needed is scissors and glue; page 2; page 4), wherein the model indicia is useful for configuring the substrate into a paper model (fig. 4; page 4).

8. Heiple discloses a term “download” which inherently used to describe the process of copying a file from a server to client’s computer on the network. However, Heiple does not specifically disclose a term “wide area computer network”. Glassner discloses a wide area computer network (WAN, 852, fig. 20; col. 12, lines 19-34; col. 11, lines 22-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Heiple and Glassner because Glassner’s WAN would improve the customer services by allowing clients, those who located in different geographic areas, to download the paper model.

9. As to claim 2, Heiple discloses the data file is further useful for causing the computer printer to print assembly instructions for the paper model (steps 1-5, page 4)

10. As to claim 6, Heiple discloses providing at least one hyperlink to the model page, whereby the user accesses the model page by clicking on the hyperlink (www.rain.org/~philfear/download-a-dinosaur.html; page 1; New! A Flock of

Ornithomimus; New! Corynthosaurus; Stegosaurus; Triceratops; Ankylosaurus; Tyrannosaurus rex; Parasaurolophus; Raptor; Dimetrodon; page 2).

11. As to claim 7, Heiple discloses presenting an image of at least a portion of an object on the model page (fig. 4; step 3, Feet).

12. As to claim 8, Heiple discloses the user prints the data file at least in part by clicking on the image on the model page (clicking your cursor on top of the image and scroll to the "save this image" command, then transfer it to a graphic program like pagemaker, paste and then print; page 2).

13. As to claim 9, it is rejected for the same reasons set forth in claim 1 above. In addition, Heiple discloses at least one user computer (your particular browser, computer; page 2); at least one model server (you are invited to visit my new site:Download-a-Dinosaur; page 1), the user computer communicating with the model server via a network (you can download from this site; pages 1-2; download inherently used to describe the process of copying a file from a server to client's computer on the network); the model server including a module including means for providing files representing paper models to the user computer via the network (featuring easy-to designs for paper dinosaurs that you can copy..., html file name, such as download-a-dinosaur.html from the URL www.rain.org/~philfear/download-a-dinosaur.html; page 1).

14. As to claim 11, it is rejected for the same reasons set forth in claim 2 above.
15. As to claim 15, it is rejected for the same reasons set forth in claim 6 above.
16. As to claim 16, it is rejected for the same reasons set forth in claim 7 above.
17. As to claim 17, it is rejected for the same reasons set forth in claim 8 above.
18. Claims 3-5 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phil Heiple, "Download-a-Dinosaur", July 10, 1997, pages 1-4, Glassner (US 6,311,142), further in view of "Paper PhotoCube Software--NEW Version: 1.1", January 1999, hereinafter Paper PhotoCube.
19. As to claims 3-5, Heiple discloses generating accounting data when the user accesses the model book (Buy the book "Easy to Make Paper Dinosaurs", page 3). However, Heiple and Glassner do not specifically disclose generating accounting data for accessing the model page. Paper PhotoCube discloses generating accounting data when the user accesses the model page (page 1, Special Online Price; Purchase Paper PhotoCube direct for only \$19.95 or \$24.90 with a CD-ROM). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Heiple, Glassner and Paper PhotoCube because Paper PhotoCube's accounting data for accessing the model page would allow the site which offering the

paper model to easily figure their revenue on the basis of the online purchase.

20. As to claims 12-14, they are rejected for the same reasons set forth in claims 3-5 above.

21. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glassner (US 6,311,142), "Paper PhotoCube Software--NEW Version: 1.1", January 1999, hereinafter Paper PhotoCube.

22. As to claim 20, Glassner discloses a method for providing paper models (798, fig. 19; paper-folding; col. 1, lines 5-24; pop-up shapes, e.g., mail-boxes, faces, or the like; col. 3, lines 17-30; origami; col. 5, lines 35-43), comprising:

generating a model data (data corresponding to features of the pop-up card; col. 15, lines 16-19) at least in part using 3D (3D-pyramid... shapes, e.g., mail-boxes, faces, or the like; col. 3, lines 17-30) stereoscopic photography (col. 10, lines 15-19);

storing the model data on a data storage device (822, 824, 825, 827, 828, 829, 830, 831, 850, fig. 20) (pop-up card is designed so that there are various shapes which are stored; col. 5, lines 59-64; storing input and design sequences for scripted playback; col. 8, lines 49-50), the model file being printable onto a paper substrate ("open" option from the "File Menu" allows the user to open an existing file; 796, fig. 19; col. 2, lines 7-12; col. 10, lines 33-44; col. 16, lines 24-27);

providing instructions (col. 2, lines 9-12) regarding manipulating the paper

substrate into a 3D object (col. 3, lines 9-30; col. 8, lines 37-67; indicating how to cut out and attach various card pieces; col. 10, lines 33-44; col. 14, line 54 – col. 15, line 5; col. 15, lines 9-27); and

making the model data and instructions available to a user (fig. 19; col. 8, lines 37-67; col. 14, line 54 – col. 15, line 5).

23. Glassner discloses the model data (data corresponding to features of the pop-up card; col. 15, lines 16-19; graphical user interface, 790, fig. 19 that shows menu systems 796 for selecting and configuring a pop-up card 798; col. 8, lines 37-42; GUI inherently allowing a user to click “open” option from the “File Menu” to open an existing file). However, Glassner does not specifically use a term “file”. Paper PhotoCube discloses a model file (VRML Consortium, VRML is the file format standard for 3-D multimedia and shared virtual worlds on the Internet; page 4, section “TriVista Software Review”). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Glassner and Paper PhotoCube because Paper PhotoCube’s file would allow the user to easily and quickly select the desired file that the user wants to manipulate.

24. As to claim 22, it is rejected for the same reasons set forth in claim 20 above. In addition, Glassner discloses a client-server distributed computing environment where tasks are performed by remote processing devices (i.e., servers; 849, fig. 20) that are linked through a communications network (fig. 20; col. 11, lines 6-28). However,

Glassner does not specifically disclose allowing the user to access the computer site using the Internet. Paper PhotoCube discloses allowing the user to access the computer site using the Internet (download paper photocube; page 1, page 3; downloading a VRML viewer; page 4; you are invited to visit my new site; page 1; you can download from this site; pages 1-2; download inherently used to describe the process of copying a file from a server to client's computer on the network). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Glassner and Paper PhotoCube because Paper PhotoCube's allowing the user to access the server would allow the user to request a desire network resource stored on the server.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

"Paper PhotoCube Examples", August 1999.

Joseph Wu, "Diagrams for Origami Models", September 1999.

Kevin Kwan, "Idea for FST -> Polygons to Paper Models!, February 1998.

disclose a system and method for purchasing paper model.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wally JWC Ward

JWC
August 12, 2005